

ORDINANCE NO. Z-06-06-08-9B5

AN ORDINANCE AMENDING CHAPTERS 2 AND 11, SECTIONS 2.701, 2.801, 11.312, 11.401, 11.403, 11.423, 11.800 AND APPENDIX A, AND ADDING SECTIONS 11.317 AND 11.414.1 CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, TO AMEND KEEPING OF LIVESTOCK REQUIREMENTS; TO AMEND LIMITING THE NUMBER OF FOWL; TO AMEND THE APPLICABILITY OF A ZONING DISTRICT FOR ANNEXED LANDS; TO ADD THE TREATMENT OF PROPERTY WITHOUT A ZONING CLASSIFICATION; TO AMEND THE ESTABLISHED ZONING DISTRICTS; TO AMEND THE USE OF THE TERM "LIVESTOCK STORAGE" TO "LIVESTOCK" OR "LIVESTOCK RAISING"; TO ESTABLISH THE AG (AGRICULTURAL) ZONING DISTRICT; TO ADD STANDARDS FOR LIVESTOCK RAISING; TO ADD DEFINITIONS; TO AMEND THE DEFINITION OF "LIVESTOCK STORAGE" TO "LIVESTOCK;" AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROUND ROCK, TEXAS:

I.

Chapter 2, Section 2.701, Code of Ordinances (1995 Edition), City of Round Rock, Texas, is hereby amended to read as follows:

2.701 KEEPING OF LIVESTOCK

- (1) This Section shall not apply to property zoned AG.
- (2) It shall be unlawful for any person to keep livestock within the corporate limits of the City unless the livestock is being kept in accordance with the following restrictions:
  - (a) Livestock shall be kept on a parcel of land that is at least one acre in size.
  - (b) There shall be no more than one unit (as defined below) of livestock for the first acre of land. There shall be no more than one additional unit of livestock for each additional one-half acre of land in the same parcel. For the purpose of this subsection, units of livestock shall be defined as follows:
    - (i) The following types of livestock shall be counted as one head equals one unit: horse, stallion, mare, gelding, filly, colt, mule, hinny, jack, jenny,

llama, and all species of cattle;

- (ii) The following types of livestock shall be counted as one head equals one-half of a unit: all species of swine; and
- (iii) The following types of livestock shall be counted as one head equals one-fifth of a unit: sheep, goat, emu, ostrich and rhea.
- (c) No livestock shall be permitted to graze, forage, or otherwise roam within 50 feet of any dwelling, residence, or structure used for human occupancy (other than the livestock owner's dwelling or residence).
- (d) Barns, stables, corrals, sheds, pens or other similar structure where livestock may be housed, fed, or confined, or where food for livestock is stored shall not be located within 150 feet of any residence, business or commercial establishment or office (other than the livestock owner's residence, business or commercial establishment or office), grocery store, school building, church, hospital, nursing home, or restaurant or other food service establishment.
- (e) Livestock shall be enclosed with adequate fences or barriers that will prevent such livestock from damaging shrubbery or other property situated on adjacent property. Such fences or barriers shall be sufficient to prevent the livestock from escaping the enclosure.
- (f) The owner keeping any livestock shall keep all yards, barns, pens, stables, sheds or other enclosures in which such animals are confined in such a manner so as not to give off odors offensive to persons or ordinary sensibilities in the immediate vicinity, or to breed or attract flies, mosquitos or other noxious insects or rodents, or in any manner to endanger the public health, safety, or welfare, or to create a public nuisance.

All yards, barns, pens, stables, sheds or other enclosures in which livestock is confined shall be of a size to allowed said animals sufficient space to move freely and not endanger the health, safety, or welfare of the animal or animals.
- (g) Subdivisions (1)-(4) above shall not apply to a licensed veterinarian at the veterinarian's place of business or a riding stable/school or academy.

## II.

Chapter 2, Section 2.801, Code of Ordinances (1995 Edition),  
City of Round Rock, Texas, is hereby amended to read as follows:

### 2.801 LIMITATIONS ON NUMBER OF FOWL

- (1) This Section shall not apply to property zoned AG.
- (2) It shall be unlawful to own or keep fowl within the corporate limits of the City unless the number is limited and they are kept in enclosed pens as set forth below:

- (a) If fowl are confined within an enclosed pen which is located fifty (50) feet or more from any building or dwelling occupied by any person other than the owner of the fowl, the number of fowl is limited to no more than ten (10).
- (b) If fowl are confined within an enclosed pen which is located less than fifty (50) feet, but more than twenty-five (25) feet from any building or dwelling occupied by any person other than the owner of the fowl, the number of fowl is limited to no more than five (5).

### III.

Chapter 11, Section 11.312(1), Code of Ordinances (1995 Edition), City of Round Rock, Texas, is hereby amended to read as follows:

#### 11.312 APPLICATION FOR ORIGINAL ZONING

##### (1) Applicability

All land annexed to the City shall be accompanied by a proposal to zone the affected property to a base zoning district as identified in Section 11.401. It is the intent of the City to zone property when it is annexed. To achieve the City's intent, a property owner may submit a proposal to zone the land being annexed to a base zoning district as identified in Section 11.401 along with the annexation petition. Such zoning district shall be appropriate for the intended use of the property and in accordance with the General Plan. When the intended use of the land being annexed has not been determined and a proposal to zone the land has not been provided by the property owner, the land annexed may be zoned by the City Council at its sole discretion.

### IV.

Chapter 11, Code of Ordinances (1995 Edition), City of Round Rock, Texas, is hereby amended to add Section 11.317 to read as follows:

#### 11.317 TREATMENT OF PROPERTY WITHOUT A ZONING CLASSIFICATION

Property that was annexed without a zoning classification or property existing within the City limits without a zoning classification, shall be treated as follows:

- (1) a parcel of land that is less than ten (10) acres shall be treated as if it were zoned SF-R (Single Family - Rural); and
- (2) a parcel of land that is ten (10) acres or more shall be treated as if it were zoned AG (Agricultural).

V.

Chapter 11, Section 11.401(1), Code of Ordinances (1995 Edition), City of Round Rock, Texas, is hereby amended to read as follows:

11.401 ESTABLISHMENT OF DISTRICTS

(1) Districts

For the purpose of this Zoning Ordinance, portions of the City, as specified on the Official Zoning Map of the City are hereby divided into the following zoning districts:

BASE ZONING DISTRICTS	
Residential Zoning Districts	
SF-R	Single Family – Rural
SF-1	Single Family – Large Lot
SF-2	Single Family – Standard Lot
MH	Manufactured Housing
TF	Two Family
TH	Townhouse
MF	Multifamily
Commercial Zoning Districts	
C-1	General Commercial
C-1a	General Commercial - Limited
C-2	Local Commercial
Employment Zoning Districts	
OF	Office
BP	Business Park
LI	Light Industrial
I	industrial
Special Purpose Zoning Districts	
AG	Agricultural
PF	Public Facilities
SR	Senior
MI	Mining
OS	Open Space
MU-1a	Mixed-Use Southwest Downtown
PUD	Planned Unit Development
OVERLAY ZONING DISTRICTS	
H	Historic Overlay

CT	Chisholm Trail Overlay
PV	Palm Valley Overlay

## VI.

Chapter 11, Section 11.403(2)(b), Code of Ordinances (1995 Edition), City of Round Rock, Texas, is hereby amended to read as follows:

### 11.403 SF-R (SINGLE-FAMILY – RURAL LOT) DISTRICT

#### (2) Permitted Uses

(b) The following uses are permitted with conditions:

Use	Special Standard
Amenity Center	11.423(1)
Day Care (in home) for 6 or fewer children	11.423(8)(a)
Group Home (6 or fewer persons)	11.423(12)
Livestock Raising	City Code, Chapter 2
Park, Community	11.423(16)
Park, Linear /Linkage	11.423(17)
Place of Worship (with accessory uses not exceeding 2500 square feet)	11.423(19)
Self-Enclosed Monopole	11.423(31)
Utilities, Minor	11.423(27)(a)
Utilities, Intermediate	11.423(27)(b)
Wireless Transmission Facilities, Attached	11.423(31)
Wireless Transmission Facilities, Stealth	11.423(31)

## VII.

Chapter 11, Code of Ordinances (1995 Edition), City of Round Rock, Texas, is hereby amended to add Section 11.414.1 to read as follows:

### 11.414.1 AG (AGRICULTURAL) DISTRICT

#### (1) Purpose

To establish and preserve areas of low intensity land use primarily devoted to agricultural activities and having the potential of becoming urban areas in the future.

(2) Permitted Uses

(a) The following uses are permitted by right:

Use
Agricultural Operations
Fowl Raising
Livestock Raising
Single Family, detached home

(b) The following uses are permitted with conditions:

Use	Special Standard
Utilities, Minor	11.423(27)(a)
Utilities, Intermediate	11.423(27)(b)
Wireless Transmission Facilities, Attached	11.423(31)
Wireless Transmission Facilities, Stealth	11.423(31)

(3) Prohibited Uses

Feed lots, dairy farms, hog raising operations, poultry farms, poultry processing and livestock processing are prohibited.

(4) Density & Development Standards

All development within the AG (Agricultural) District shall conform to the Density, Development, and Special Standards described below.

(a) AG (Agricultural) Density & Development Standards

Density & Development Standards for AG(Agricultural) <sup>(1)</sup>	
Description	Requirement
Minimum Lot Area	10 acres
Minimum Lot Width	200 ft.
Minimum Width of Principal Residential Building	20 ft.
Minimum Setback from Street (ROW)	50 ft.
Minimum Garage Door Setback from Street (ROW)	50 ft.
Minimum Rear Setback	50 ft.
Minimum Side Setback	20 ft.
Minimum Setback for Accessory Building	20 ft.
Maximum Height of Residential Buildings	2.5 stories
Maximum Height of Accessory Buildings	35 ft.
Maximum Lot Coverage	10%

<sup>(1)</sup> Special purpose lots, including but not limited to landscape lots and utility lots, may be exempted from these requirements.

(b) Setback Encroachment

All required setbacks shall be free from any encroachments including but not limited to accessory buildings or structures, eaves, roof overhangs, box windows and fireplaces. Air conditioning units and other similar ground mounted equipment are exempt from this requirement.

(c) Limits on Residential Buildings

For parcels having forty (40) acres or less, a maximum of two (2) buildings may be used for residential purposes. For parcels of more than forty (40) acres, one (1) building per twenty (20) acres, with a maximum of five (5) buildings may be used for residential purposes.

(d) Livestock Structures

For new development of barns, stables, corrals, sheds, pens or other similar structures where livestock may be housed, fed, or confined, or where food for livestock is stored shall not be located within 150 feet of the property line of any residence, business or commercial establishment or office (other than the livestock owner's residence, business or commercial establishment or office), grocery store, school building, church, hospital, nursing home, or restaurant or other food service establishment.

(e) Confinement of Livestock

Livestock shall be enclosed with adequate fences or barriers that will prevent such livestock from damaging shrubbery or other property situated on adjacent property. Such fences or barriers shall be sufficient to prevent the livestock from escaping the enclosure.

(f) Height and Placement Requirements

For explanation of measurements, computations and exceptions see Section 11.426.

## VIII.

Chapter 11, Section 11.800, Code of Ordinances (1995 Edition), City of Round Rock, Texas, is hereby amended to add the following definitions and amend the definition of "Livestock Storage," as follows:

### 11.800 DEFINITIONS

Agricultural Operations

Farming, including any customary agricultural buildings and

structures; and uses such as field crops, orchards, and horticulture.

Feed Lot A small area where livestock are confined and fed to fatten them.

Fowl See Chapter 2, Section 2.300(16) of the Code.

Fowl Raising Domesticating fowl, including any customary buildings and structures.

Livestock See Chapter 2, Section 2.300(19) of the Code.

Livestock Raising Ranching, including any customary buildings and structures, and uses such as animal husbandry.

Poultry Farm An area where fowl are confined and fed to fatten them for commercial purposes or areas where laying fowl are confined and fed for their eggs for commercial purposes.

## IX.

Chapter 11, Appendix A - Summary Use Table by District, Code of Ordinances (1995 Edition), City of Round Rock, Texas, is hereby amended as follows:

### Appendix A - Summary Use Table by District

Summary Use by District

Use	SFR	SF-1	SF-2	MH	TF	TH	MF	C-1	C-1a	C-2	OF	BP	LI	I	AG	PF-1	PF-2	PF-3	SR	MI	OS	MU-1a	Special Standards
<i>Residential Uses</i>																							
Apartment	--	--	--	--	--	--	P	--	--	--	--	--	--	--	--	--	--	--	P / S	--	--	--	11.423(2)
Group Home (6 or fewer persons)	P / S	P / S	P / S	P / S	P / S	P / S	P / S	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	11.423(12)
Group Living	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P / S	P / S	--	--	P / S	11.423(13)



Industrialized Housing	P	P	P	P	P	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Single-family, attached	--	--	--	--	P	--	--	P / S	P / S	--	--	--	--	--	--	--	--	--	--	--	--	--	11.423(24)
Single-family, detached	P	P	P	--	--	--	--	P / S	P / S	--	--	--	--	--	P	--	--	--	--	--	--	P	11.423(24)
Single-family, detached Manufactured Home	--	--	--	P	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Single-family, zero lot line	--	--	P	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--
Single-family, village residential	--	--	P	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--
Single-Story Mixed-Use Residential	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P / S	11.423(24.1)
Townhouse	--	--	--	--	--	P	P	--	--	--	--	--	--	--	--	--	--	--	P / S	--	--	P / S	11.423(25)
Upper-story residential	--	--	--	--	--	--	--	P / S	P / S	P / S	--	--	--	--	--	--	--	--	--	--	--	P / S	11.423(26)
<i>Public and Civic Uses</i>																							
Amenity Center	P / S	P / S	P / S	P / S	P / S	P / S	P	--	--	P / S	--	P / S	--	--	--	--	--	--	P / S	--	--	--	11.423(1)
Cemetery, Mausoleum, Columbaria, Memorial park	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	S E	--	--
Community Service	--	--	--	--	--	--	--	P	P	P / S	--	--	--	--	--	--	P	P	P / S	--	P / S	P	11.423(7)

Day Care (in home) for 6 or fewer children	P / S	P / S	P / S	P / S	P / S	P / S	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	11.423(8)(a)
Day Care, all other	--	--	--	--	--	--	P / S	P	P	P / S	P / S	P	--	--	--	--	--	P	--	--	--	P / S	11.423(8)
Funeral Home	--	--	--	--	--	--	--	P	P	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Golf course/ country club	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P / S	--	11.423(10)
Government Facilities	--	--	--	--	--	--	--	P	P	P / S	--	P	--	--	--	--	P	P	--	--	--	P	11.423(11)
Hospital	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--	--	--	--
Institution	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S E	--	--	--	--	--
Monopole	--	--	--	--	--	--	--	--	--	--	--	--	P / S	P / S	--	--	--	--	--	--	--	--	11,423(31)
Park, Community	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P	P	P	P	P	P	P	--	P	P	P	P	P	P	P	11.423(16)
Park, Linear/ Linkage	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P	P	P	P	P	P	P	--	P	P	P	P	P	P	P	11.423(17)
Park, Neighborhood	P	P	P	P	P	P	P	P	P	P	P	P	P	P	--	P	P	P	P	P	P	P	--
Park, Regional/ Metropolitan	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--
Passenger terminal	--	--	--	--	--	--	--	P / S	P / S	--	--	--	--	--	--	--	--	--	--	--	--	S E	11.423(18)
Place of Worship	P	P	P	P	P	P	P	P	P	P	--	--	--	--	--	P	P	P	P	--	--	P	--

Place of Worship (with accessory uses not exceeding 2,500 sf.)	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	--	--	--	--	--	P / S	--	--	--	--	--	--	11.423(19)
Place of Worship (with accessory uses exceeding 2,500 sf., but not greater than 10,000 s.f.)	--	--	--	--	--	--	P / S	P / S	P / S	--	--	--	--	--	--	P / S	--	--	--	--	--	--	11.423(20) (a)
Place of Worship (with accessory uses not exceeding 20,000 s.f.)	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P / S	--	--	--	--	--	11.423(20) (a)
Place of Worship (with unrestricted s.f. of accessory uses)	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P / S	--	--	--	--	11.423(20) (b)
Schools: Business, Trade and Post-Secondary Educational Facilities	--	--	--	--	--	--	--	P	P	--	--	P	--	--	--	--	--	P / S	--	--	--	--	11.423(22) (d)
School, Elementary	--	P / S	P / S	P / S	P / S	P / S	P / S	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	11.423(22) (a)

School, Middle	--	P / S	P / S	P / S	P / S	P / S	P / S	--	--	--	--	--	--	--	--	--	--	--	--	--	--	11.423(22) (b)
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P=Permitted P/S=Permitted with Special Standards SE=Special Exception Needed --= Not permitted

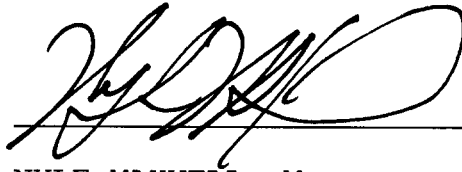
#### Summary Use by District

Use	SFR	SF-1	SF-2	MH	TF	TH	MF	C-1	C-1a	C-2	OF	BP	LI	I	AG	PF-1	PF-2	PF-3	SR	MI	OS	MU-1a	Special Standards
School, High	-	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P / S	--	--	--	--	11.423(22) (c)
Self- Enclosed Monopole	P / S	P / S	P / S	--	--	--	--	P / S	P / S	--	--	P / S	P / S	P / S	--	--	--	P / S	--	--	P / S	--	11.423(31)
Utility, Minor	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	11.423(27) (a)
Utility, Intermediate	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	11.423(27) (b)
Utility, Major	--	--	--	--	--	--	--	--	--	--	--	--	P / S	P / S	--	P / S	P / S	P / S	--	--	--	P / S	11.423(27) (b)
WTF; Attached	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	--	11.423(31)
WTF; Stealth	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	P / S	11.423(31)
<i>Commercial Uses</i>																							
Auto service facilities	--	--	--	--	--	--	--	P / S	P / S	P / S	--	--	--	--	--	--	--	--	--	--	--	--	11.423(3)

Bed and Breakfast	--	--	P / S	--	--	--	--	P / S	--	P / S	--	--	--	--	--	--	--	--	--	--	P / S	11.423(4)	
Carwash	--	--	--	--	--	--	--	P / S	P / S	--	--	--	P / S	P / S	--	--	--	--	--	--	--	11.423(5)	
Commercial parking	--	--	--	--	--	--	--	P / S	P / S	--	--	P / S	P	P	--	--	--	P	--	--	--	P / S	11.423(6)
Eating establishments	--	--	--	--	--	--	--	P	P / S	P / S	--	P / S	--	--	--	--	--	--	--	--	--	P / S	11.423(9)
Eating establishments with outdoor cooking areas	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S E	
Heavy equipment sales and leasing	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--	--	--	--	--	--	--	--
Indoor entertainment activities	--	--	--	--	--	--	--	P	P	--	--	--	--	--	--	--	--	--	--	--	--	P / S	11.423(13.2)
Live/Work Units	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P / S	11.423(13.3)
Office	--	--	--	--	--	--	--	P	P	P / S	P	P	P	P	--	--	--	--	--	--	--	P	11.423(14)
Office, Medical	--	--	--	--	--	--	--	P	P / S	P / S	P / S	--	--	--	--	--	--	P	--	--	--	P / S	11.423(14) (15)
Office, Public	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	--	--	--
Outdoor entertainment	--	--	--	--	--	--	--	S E	S E	--	--	--	--	--	--	--	--	--	--	--	S E	S E	--
Overnight Accommodations	--	--	--	--	--	--	--	P	P	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Parking, General	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P / S	P / S	P / S	--	--	--	--	11.423(6)

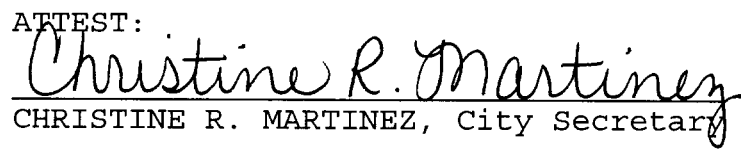
Retail Sales and Service consisting of predominantly outdoor storage or consumer loading areas	--	--	--	--	--	--	--	--	--	--	--	--	P	P	--	--	--	--	--	--	--	--	--
Retail Sales and Service	--	--	--	--	--	--	--	P	P / S	P / S	--	P / S	--	--	--	--	--	--	--	--	--	P / S	11.423(21)
Self-service storage	--	--	--	--	--	--	--	P / S	--	--	--	--	P / S	P / S	--	--	--	--	--	--	--	--	11.423(23)
Vehicles Sales, Rental or Leasing Facilities	--	--	--	--	--	--	--	P / S	P / S	--	--	P / S	--	--	--	--	--	--	--	--	--	--	11.423(29)
Vehicle Storage and Towing	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--	--	--	--	--	--	--	--
Industrial Uses																							
Light Industrial Service, Manufacturing and Assembly	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	--	--	--	--	--	--	--
Mineral Extraction	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--	--	--
Vehicle Repair Facilities and Body Shops	--	--	--	--	--	--	--	S E	--	--	--	--	P / S	P / S	--	--	--	--	--	--	--	--	11.423(28)
Warehouse and Freight Movement	--	--	--	--	--	--	--	--	--	--	--	--	P	P	--	--	--	--	--	--	--	--	--
Waste-Related Service	--	--	--	--	--	--	--	--	--	--	--	--	P / S		--	--	--	--	--	--	--	--	11.423(30)
Wholesale Trade	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	--	--	--	--	--	--	--





NYLE MAXWELL, Mayor  
City of Round Rock, Texas

ATTEST:



CHRISTINE R. MARTINEZ, City Secretary



**DATE:** June 1, 2006

**SUBJECT:** City Council Meeting – June 8, 2006

**ITEM:** 9.B.5. Consider an ordinance amending Chapter 11, Zoning, to add an Agricultural (AG) zoning district and to address the treatment of properties within the City limits without a zoning classification. (First Reading)

**Department:** Planning and Community Development Department

**Staff Person:** Jim Stendebach, Director

**Justification:**

As the city continues to initiate annexations in the ETJ, land owners of newly annexed tracts have expressed an interest in continuing existing agricultural uses until a land use proposal for their tract is determined. Staff proposes a new Agricultural (AG) zoning district to accommodate this request. The Agricultural district provides landowners with the flexibility they need to continue agricultural operations while providing the city with the assurance that Round Rock development standards are met. In addition, staff proposes provisions to address the treatment of properties within the city limits without a zoning classification also to ensure Round Rock development standards are met.

**Funding:**

Cost: N/A

Source of funds: N/A

**Outside Resources:** N/A

**Background Information:**

The intent of the Agricultural district is to establish and preserve areas of low intensity land use primarily devoted to agricultural activities, which have the potential of becoming urban areas in the future. The proposed Agricultural district provides for traditional agricultural operations such as farming to include field crops, orchards and horticulture. The district also provides for livestock and fowl raising, but excludes feed lots, livestock processing, hog raising operations, poultry farms and poultry processing operations. In addition, several compatibility standards have been included in the district to protect adjacent residential properties and neighborhoods. These are summarized below:

- For new development, barns, stables, corrals, sheds, pens or other similar structures where livestock may be housed, fed, or confined, or where food for livestock is stored shall not be located within 150 feet of the property line of any residence, business or commercial establishment or office (other than the livestock owner's residence, business or commercial establishment or office), grocery store, school building, church, hospital, nursing home, or restaurant or other food service establishment.

**ITEM: 9.B.5. – CONTINUED**

- Livestock shall be enclosed with adequate fences or barriers that will prevent such livestock from damaging shrubbery or other property situated on adjacent property. Such fences or barriers shall be sufficient to prevent the livestock from escaping the enclosure

These are the same requirements found in sections 2.701 (4-5) of the Animal Control Ordinance. In addition to the provisions regulating the proposed Agricultural (AG) district, please note that procedural language was added to Section 11.317 of the Zoning Ordinance to address the treatment of properties within the city limits without a zoning classification. Property that was annexed without a zoning classification or property existing within the City limits without a zoning classification is proposed to be treated as follows:

- A parcel of land that is less than ten (10) acres shall be treated as if it were zoned SF-R (Single Family – Rural)
- A parcel of land that is ten (10) acres or more shall be treated as if it were zoned AG (Agricultural)

**Public Comment:**

Public notice was posted and a public hearing was held in accordance with the City of Round Rock's Zoning Ordinance at the Planning and Zoning Commission meeting on May 3, 2006.